

1509/875  
A  
P R E C A U T I O N

T O

Young Gentlemen, and others.

W H O

*Mortgage* E S T A T E S .

I N A

L E T T E R

F R O M A N

O--dshire Gentleman, *Coghill & Co.*

T O A

Certain P-----te. *Rochester*

---

*Beware of the Wolf in Sheep's Cloathing.*

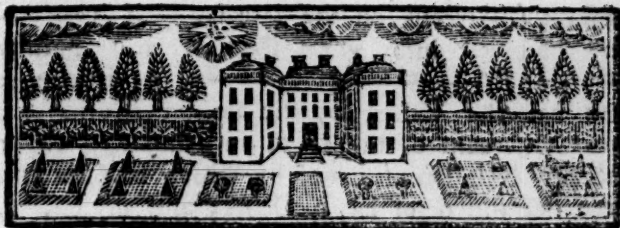
---

L O N D O N :

Printed in the YEAR, M D C C X L I .

*Coghill & Co.*





A

# PRECAUTION

To all young Gentlemen, &c.

My LORD,



AM not justifying myself in not having paid you according to the Tenor of your Mortgage-Deed, which you are sensible was owing to some unhappy Incidents that prevented me; nor am I finding Fault with your Lordship for suing me, it being the discretionary Right of every Man to whom another is indebted; but your Proceedings in order to foreclose the Equity of Redemption in my Estate, have been attended with such uncommon Circumstances of Severity, that I can't pass over without reminding you of some few Instances, viz.

In *November*, 1733, you exhibited your Bill in *Chancery* against me; and in *January* following I waited on and entreated you, to forbear putting me to any Expence in Law, offering to give you Possession, and do any other Act to make you Safe and Easy: But you then intimated, that I was to expect no Favour; and it seems you had been consulting Dr. B — k, one of your Prebends, then a

A

con-

constant Attendant on the late L.—d A—— who had got into great Part of my Family Estate at *Bl———ch———n*, for little more than half the Value, by the sinister Means of a great Miscreant of the Law, and imposing on an unhappy Relation of mine, by which his Creditors were defrauded of large Debts; and myself, as Heir at Law, stript of my Inheritance, which is notorious to the Country; and my Estate being contiguous to his Lordship's, and directly under his View, it might be thought convenient to join them.

to w. y. Quit. Rent  
by part of y. Manor  
belonged

Tho' I was then as visible in *Chancery-Lane*, as your Lordship in the Choir of your A——y, and might easily have been served with a *Subpœna*; yet, without so much as favouring me with a Line, and merely to expose me, you resorted to the Act of Parliament for making Process in Equity effectual against Persons absconding; and without being otherwise apprized, I saw myself in the *Gazette* on that Occasion; and seeing your Lordship so impetuous in your Proceedings, I considered by what Method I might best Defend myself against such potent Adversaries as I perceived in Confederacy against me; and looking into that Act, I apprehended, I might gain more Time by taking an Advantage you had thereby pointed to me, and not suffer myself to be suddenly foreclosed in the ordinary Course, whilst contending with other Difficulties.

In *February* 1734, you obtained a Decree against me on that Act, and thereupon the Master, 30th of *April*, 1735, made his Report, and certify'd, that there would be due to you, 30th of *October* then next, for Principal, Interest and Cost, 2296 *l.* 3 *s.* 10 *d.*

At *Michaelmas* 1735, you was let into Possession of the Premises, by which, I was in hopes you would





would have moderated your Prosecution, and given me a little Time to breath; but finding me environ'd with Misfortunes, you resolv'd to take the Advantage, and preclude me as to Time; and, by any Means, to get me served with the Decree, as appears by your Letter to my Mother, dated the 20th of *May*, 1736, in these Words: 'Madam, I received yours, and am sorry your Annuity is no better paid, and that your Son should be the Occasion of it, who absconds from being served with the Decree; and neither you nor your Daughter will give me any Assistance to serve him with it. Dr. *B——k*, who goes to *B——n* next Week, will shew you the Unreasonableness of expecting Favour from me, without doing any thing to deserve it.' And by another Letter of the 29th of the same Month, to my Sister, you refer my Mother to Lord *A——*, to do as he should think reasonable; and say, that the best Way to get her Mother's Annuity regularly paid for the future, would be to assist you to get me served with the Decree; and my Father being an utter and profess'd Enemy to me, and his Family, for no other Reason whatsoever, than that having formerly spent a considerable Fortune, and very much neglected and abused his Family, my Mother and I, refused to join with him in Sale of the Premises, which by a Decree in *Chancery*, at my Suit, he had been compell'd to settle, according to Articles on his Marriage, between my Grandfathers and him, and other Parties, you employ'd him, to get me served with the Decree, which, on the 8th of *March*, 1736, was accordingly done; for which you paid him six Guineas, with your own Hands, as appears by the Bill of Cost, tax'd by the Master 10*l*. 17*s*. and your Agent, Lord *A——*, did not think it reasonable, that my Mother should be paid her Annuity, because she kept my Children,

which he would have had her sent to me, the more to distress me, knowing I had then no Place to receive, nor a Wife to assist me, in the Care of them.

Now, my Lord, your refusing (when in Possession) to pay my Mother her Annuity, which was her only Subsistence, and a Charge on the Estate Prior to your Mortgage; because, as you say she did not deserve it, by betraying me; and because, that righteous Lord did not think it reasonable she should be paid, was somewhat very observable, as well as your hiring my Father to act so unnatural, and shew'd the strict Regard of both your Lordships to Justice.

There is a Clause in the said Act, That if any Person so served with such Decree, within six Months next after such Service, or within seven Years after making such Decree, shall appear, and Petition to be heard, with respect to the Matter of such Decree, and shall pay down, or give Security for Payment of such Cost, as the Court should think reasonable, such Person shall be admitted to Answer the Plaintiff's Bill, as if the Cause had been just begun.

In *July*, 1737, I entered my Appearance, and petitioned; whereupon it was ordered, That on paying Your Cost, and the other Defendants, so far as occasioned by my Default, in a Fortnight after Tax'd, I should be at Liberty to put in my Answer to your Bill.

In *November*, 1737, the Master taxed the Cost at 64*l.* 11*s.* 8*d.* and, at the same Time, I entered into an Agreement with your Lordship, to pay the other Defendants Cost, being 43*l.* 13*s.* 4*d.* with Interest, at 5*l.* per Cent, to be added to the Mortgage, and then got an Order to give Security before the Master, for the 64*l.* 11*s.* 8*d.* Cost, and entered into a Recognizance, with two Sureties, for Payment thereof.

On

On the 23d of *November*, 1737, I waited on your Lordship, desiring you would indulge me with eighteen Months to Redeem, and offered to stand foreclosed if I did not pay you in that Time. You answered, That 'twas Time enough for me to ask Favours, when you had done yourself Justice. So finding Supplications would not in the least avail, I then reply'd; that I must defend myself in the best Manner I could. Your Lordship thereupon, with exalted Mien said, Why then, Sir, I will wait on Lord Chancellor in two or three Days; a further Confirmation of your Honest Disposition; and signified how you would act, had you Power or Interest equal to your Will, or could bias the Integrity of that Great Man.

Having given the Security for the 64*l.* 11*s.* 8*d.* Cost, in *February* 1737, I put in my Answer to your Bill; and then the Cause stood as it just begun.

In the mean Time, a Person having procured me the Money, of a neighbouring Gentleman, to pay you, and the Title of the Estate being approved by Mr. *Ward* of the *Temple*, Mr. *S*—— my Solicitor, wrote to your Lordship, to acquaint you with it, desiring you would appoint your Solicitor to meet him, in order to settle the Account and take your Money. But although you and your Solicitor had often signified, that you would take it whenever ready; yet by your Letter the 18th of *February*, 1737, in answer to Mr. *S*—— you say, you will do nothing out of the Court of *Chancery*, nor accept any Overtures from me; and direct him to move the Court, meaning on the *Act for more easy Redemption of Mortgages*, whereby a Mortgagee, on a Motion, shall be obliged to accept his Money; and the Mortgagor to pay it on the Account taken by the Master. Upon this the Gentleman disposed of his Money another Way,  
it

it being apprehended, that it might be a considerable Time before you would have been obliged, by the Course of the Court, to take your Money. This, my Lord, is a plain Indication, that your Profession of Favour was only Affectation, and a meer Pretence of Clemency; and that your Intent was to baffle me, and prevent my paying you.

Pending these Proceedings, you not only threatened to wait on the Chancellor, but actually visited my Solicitor, and the Master to whom the Cause stood referred, and went and sent to every Person with whom you thought I had any concern, which argued an extraordinary Intention, and that you was diffident of the open and plain Way to Justice, and that you should not succeed in your Views without Partiality.

And your Lordship's refined Eloquence was so prevalent with my Solicitor, that after your Visit, he scarce ever appeared, or attended for me, unless to colour your Proceedings; and was often observed to meet, and secretly confer with your Solicitor, and positively acquainted him with every Step I took. These little Decoys of the Law, with artful Grin, and Shew of Friendship, allure the unwary Client, and give the Signal, while on the other Side Don *Lurco Lenardo* with gloomy and lethal Aspect, drives him into the Net, and he's caught and undone: And thus by Treachery, not by Practice of the Law, such Vermin get their Money. They are both Ignorant and Indolent and Skulk in Taverns and Coffee-Houses to meet the Prey, where, with furtive Cunning, they watch the unguarded Words and Motions of the destin'd Wretch.

And I perceived an uncommon Rancour in your Solicitor against me, which I took to be an ill Omen; and from your Divine Impulse for the Man, could have no personal Prejudice against me. He  
has



has been asked, Why he was so severe with me? And has answered, That the B—p continually teaz'd and had wrote to him a Ream of Paper in urgent Letters to proceed without Favour.

Soon after another Sum was procured, and the Title pass'd by another Council, and the Writings were drawn, on which Assurance of the Money, 7th of *March*, 1737, I moved the Court in the last mentioned Act, whereupon it was ordered, That I should pay you in Six Months after the Date of the Master's Report on the Account taken: Your Lordship then attended in Person, and among other Things desir'd to have the same Master as before, which was granted; for Mr. B—s, was a Man of malleable Temper, ~~and~~ another might have been honest and stubborn; but soon after, to my surprize, I was told, that my Sollicitor had inform'd yours, who the Council was that then pass'd the Title, and that your Sollicitor had been with him: Upon this the learned honest Man of the Law feign'd an Excuse, and eat his former Opinion; and then I had Notice that I was not to have the Money. This Disappointment was very grievous, and brought me under a worse Dilemma than before, being obliged to pay you on a certain Day, or stand foreclosed, unless the Court should think fit to grant some little Time further, which never was denied in the like Case on Reasons shewn.

As soon as you found me disappointed of the Money, and so reduced, that I could make no further Defence, you then hurry'd on the Account, and us'd all your Efforts to circumvent and oppress me, and altho' I had come into the last-mention'd Order, and you was then sure of your Money, or the Estate in a very little Time; and altho' you knew the Premises to be a very ample Security, yet you put the Recognizance in Suit against me and my Sureties for the 64*l.* 11*s.* 8*d.* Cost; and altho' we offer'd

fer'd you Judgment, with Stay of Execution, for no longer Time than it might otherwise be obtained, yet you refused to accept it, and put me to all the Expence you possibly could; which, together with the 64*l.* 11*s.* 8*d.* amounted to 150*l.* on that very Proceeding, the greatest Part of which was paid by one of my Sureties, which gave me a fresh Wound.

And to colour <sup>your</sup> cruel Treatment, you villify'd and misrepresented me, pretending great Reasentment that I did not pay you, when you had been the only Means to prevent me, and exclaiming aloud against me, at the same time you was taking from me so great a Part of my Property; but 'tis only giving the unfortunate Man an ill Name, and crying out he's a Thief or Madman, and you may with Applause take away his Estate, and treat him in any manner; tho' upon Enquiry, he shall appear to be as much in his Senses, and far more innocent and honest than his Accuser or Prosecutor. And in *September, 1738*, you took a Progress into O——e, in order to prepossess the People, as well as the Estate; and you, and your Emissaries, went over the Country with Speeches on purpose to discredit me, endeavouring to raise a Resentment in my Relations and Acquaintance against me; you gave out, that the Estate would soon be yours, and that you had more Money upon it than 'twas worth; that I only kept you out of it by Tricks of the Law, and for Vexation; and that you had made me several Offers, which I had rejected. I utterly deny you ever made me one in any Shape whatsoever, either by yourself or Agents, or gave me one Instance of your intending me the least Favour. You knew I was then labouring under the greatest Difficulties in my Family, and otherwise, and prosecuting a very expensive Suit in Chancery against my Wife, that Source of all my

Woe,

Woe by whose means I unfortunately came into your Power, had you been so humane and generous in regard to my Misfortunes, to have shew'd me any Indulgence, or said Mr. K—p sell your Estate, in the best Manner you can, or get the Money of another Person to pay me off and I'll assist you, I shou'd gratefully have acknowledg'd the Favour, and you d soon have been paid ; but on the contrary you took all Advantages, and resolved to have my Estate Right or Wrong, and seem'd greatly enrag'd, and abused me because I wou'd not instantly deliver it up without Opposition. You was pleased to visit my Mother and Family, whom you saw in the utmost Distress; not out of a generous Compassion to give Consolation to the Afflicted ; but Curiosity, to view their Condition, and add to their Sorrow, by uttering insolent Admonitions, and warning them of their approaching Fate, which so affected my Mother that she was never after easy : And in this Interim R——s of W——st——k your Attorney was employ'd to set my Creditors upon me, and at once take from me all the Income I had left ; which was accordingly done, as he declared, that I might make no further Defence against you.

This Gotham Oracle, vulgarly under the Appellation of a Lawyer among the Cry of Canibals, has particularly distinguished his Voice against me ; he's of the Catchpole order, has neither Qualities<sup>r</sup> or Qualifications that entitle him to a Class higher in the Law ; he has been very industrious in representing me and my Estate in as bad a Light as possible, and has taken upon him, with serious Countenance, to advance absurd Falsities, in the Country, of me and my Affairs. He, perhaps, may be believed, because he has had the Luck, by ways and means, from a Beggar, to get rich ; and as yet has met with no Contradiction. It seems he had a mind to the B——n Estate having Lands adjoining, and gave out that he was

B

to

to be the Purchaser as soon as it was foreclosed.

Your Lordship has a very distinguishing Faculty in the Choice, as well as in the Use of your Instruments, for a more compleat Set for the Purpose could scarce have been found.

And having mortgaged a House and Close, which I purchased and added to my Estate, to one *W——r*, your Lordship in your Progress sent for and told him you wou'd pay him off, but altering your Mind, you sent to him that you wou'd not, but advis'd him to sue me ; and since he signify'd to me that you wou'd pay him, and he deliver'd the Writings to *R——s* for that Purpose : Is not this purchasing a Man's Debts merely to oppress and persecute him, either from a Principle of Malice, or Avarice.

In November, 1738, a Gentleman went from *Marlborough*, in *Wilts*, on Purpose to view the Estate, but was deny'd Admittance into the Capital House at *Ck——n*, Orders having been given that no Person on my Behalf shou'd go into it.

I can't omit observing, that after you had got into Possession you immediately lessen'd the Rents, and suffer'd your Agents in a most shameful Manner to commit Waste and deface the Premises, and employ'd such Persons thereon, from whom you expected little Account ; by which you reduced the yearly Income, and greatly increased the Account on me, Witness a Farrier at *S--n*, who in one Year, brought a Farm of 60 *l.* a year 80 *l.* in Debt ; you suffer'd the House at *B----ch--n*, which just before had been let at 34 *l.* a Year, to stand empty, tho' a Gentleman then desired to take it, and let several Acres of Wood, part of the produce of the Estate, worth some hundred Pounds, which ought to have been cut, stand, because it shou'd not be brought to Account. I cou'd mention several other Advantages you willfully neglected, which ought to have been made, and still you cry'd out, pretending to impeach



me for having committed Waste on the Estate, when 'twas visible to the Country I had laid out above 1000 *l.* to improve it, and there was then 1000 *l.* worth of Wood and Timber upon it.

I own I was so reduc'd that I cou'd not joyn with you in a Commission into the Country, when you prov'd your Accounts, whereupon you examined your Witneses as you pleas'd, and afterwards your Account was taken by the Master, and your Cost tax'd, no Defence being made on my Behalf, so that I was charged at the Discretion of your Agents. December the 1<sup>st</sup>, 1738, the Master made his Report that there wou'd be due to you, 1<sup>st</sup> *June*, then next for Principal Interest and Cost 2765 *l.* 15s. 9d. which on that day he appointed to be paid at the Koll's Chapel, but how fair and just that Account, will appear in it's own Nature on the Face of the Report, which I shall take another Occasion to demonstrate.

On *June* 4, 1739, I moved the Court to enlarge the Time to redeem for six Months, on the Circumstances aforementioned, and on Affidavits that the Premises were worth double the Money; but no time was then granted, whereupon you moved that I might stand absolutely foreclosed, which was accordingly ordered: I confess with the greatest anxiety, I endeavour'd to save my Estate, not only for it's real Value, but as it had been many Generations in my Family, and my Native Place, which from a Child I had taken particular Delight to plant and improve; and to have received Sentence of Death cou'd not have given me so great a shock as that Decree.

Had three or six Months been given me, it wou'd have been a Satisfaction, if I cou'd not have redeemed you; nor cou'd it in any Respect have hurt you, as you had Interest at 5 *per Cent.* for your Money; and even for the Cost, and my Mother

dying the 24<sup>th</sup> of the preceeding *March*, her *Annuity* fell in, by which your Security became the stronger : And I'll appeal to the Country, if the Estate and Wood on a fair Valuation, and State of the Account, is not worth above double your Money.

As soon as your Lordship had made your Decree of Foreclosure absolute, you vainly went down to *Bl—ch—n* in Triumph, as you pretended to take Possession which you had long before got, but did not meet with that agreeable Reception, by ringing of Bells, as it seems, you expected ; your Conquest was no more than killing a dying Man, not worthy of Acclamations, nor added one Tittle to your Honour. My Sister took that Opportunity to wait on your Lordship, desiring you wou'd consider her Condition, and pay the half Year's Annuity, which wou'd have been due to my Mother at *Lady-day* then last, tho' she died the Day before ; but you not only refused to give her one Farthing, but in a very unbecoming Manner, waving your Hand, bid her be gone.

Courts of Equity have always been tender and cautious in making Decrees of Foreclosure, especially when there has been the least Appearance of Value sufficient to answer Mortgage, which seems to be the Reason the Act gives seven Years for the absconding Party to appear ; and if he appears on the last Day of the seven Years, he may (as therein directed) be admitted to answer the Plaintiff's Bill, as the Cause had been just begun, which makes my Case very hard, as I might have gain'd more time on having put in my Answer.

The Law of Foreclosures is very severe in many Cases, and worthy the Consideration of the Legislature, to provide a Remedy : Its hard that a Mortgager should lose his Estate for half the Value, or that an Infant, or Heir at Law, or Creditors should

shou'd suffer a considerable Loss by the Omission, or Misfortune of a Mortgagor, which makes the Consequence of a Foreclosure adequate with that of Treason or Felony ; why shou'd not a Mortgagor have a reasonable time to sell before the Master, which might obviate Complaints.

Some, whose Conscience cou'd dispence with making such exorbitant Breaches on the Property of others, have made it a Practice to lend small Sums of Money on Estates, to Persons suitable to their Purpose, and, afterwards taking Advantage of their unfortunate Circumstances, either surprize them with a Foreclosure, or, by some indirect and oppressive Means, get into the mortgaged Premises for much less than the Value, by which they have acquired large Estates, and ruined many Families : These Men use many Artifices to avoid being paid, and harrass and perplex a Mortgagor till they have accomplish'd their Ends: Examples of this ~~sort~~ *Sort* would deter Men from mortgaging their Estates, or make them use the utmost Precaution to whom, and in what manner, they mortgage.

It may be urged, if the Estate mortgaged is an ample Security, the Money may easily be had of another Person ; No! a Mortgagor may be under such Disadvantages, and with Artifice be so beset and discredited by a powerful Mortgagee, that may render it impracticable, when absent and in Distress. How cou'd I vindicate my self and Property against such an Agent and Advocate on the Spot for your Lordship, as the late Lord A——, assisted by that Parasite and Creature Doctor B——k, who for Eatables and French Wine, wou'd pronounce *Anathema's* against any Person, and say or do any thing to preserve the Benevolence of such a Patron ; they cou'd give what Character in the Country of me, and set what Value they pleased on my Estate, without being controverted : And I very well know,  
by

by long and dear Experience, that Lord's Conscience would carry him to any Length to gratify his Malice, or any self End; of which he gave a sufficient Specimen (among other Instances I cou'd mention) in his Purchase of Mr. C——'s Estate at Bl——ch——n, wherein his dear Cousin F—— A——y, now his Excutor, likewise display'd his excellent Talents; they both forfeited their Word and Honour to the Country, and for a trifling Sum run away with the poor Gentleman's Estate, and suffer'd him to die in Prison without paying what was due to him by their own Agreement; the Particulars I shall set forth on another Occasion, from undeniable Facts which the Country can testify.

And a Certain great *Cambro-Britannic* Judge, living near *Oxford*, as proud and malicious as an *Eastern* Monarch, being piqued at me for selling him a Gentleman's Estate some years ago, for three years Purchase less than I had been bid, it seems, has been very officious, and a mighty Assistant against me in favour of your Lordship; his Intellects and Principals are much of your Impression, much Gain; or to get one step higher wou'd tempt some Men to betray their Neighbour or Country, and Men of much Pride and Avarice, without any share of personal Merit, either natural or acquir'd, must travel through thick and thin, and gain Riches and Preferment by servile and base Means.

and 'Twas in vain for a Man in my weak and destitute Condition, to contend against the Force and Devices of such Men, who cou'd trace all his Steps, defeat his Purposes; and as a Man's Fortune, so his Credit in common Esteem, naturally decreases, and when in Difficulties he's easily deprest, and has Measures broke; and how rare it is to find a generous Person, who has the Courage to espouse the Cause of a Man in Adversity, however clear and just it may appear; but instead of commiserating his unhap-



py Case, and offering him Assistance, shall deny him the least Umbrage, look on him as a Criminal, and judge him by Events, and the random Report, of prejudiced and designing Men, not by Truth or his real Merit. The Cause of Misfortune is not enquired into ; the honest Man is as little regarded, and shares the same Fate with the Villain.

It may be further observ'd, that an unfair and designing Mortgagor may pretend a bad Title, and refuse to shew the Title-Deeds, or so much as an Abstract ; and if a Mortgagor has been so unwary, not to keep attested Copies, he must be at a Fault, and the timorous Lender will naturally refuse to take the Title on Trust ; this was my Case.

I was born to a very good Estate in O——— tho' unfortunate in my Predecessor, was a Member of the same University as your Lordship, and always (till lately) have liv'd like a Gentleman ; and tho' it's now my hard Fortune, in the decline of Life to be stript of my ALL, and with Ignominy thrust naked, with my Family, into the World without any means of Support ; yet, notwithstanding any ungenerous Aspersions of you or your Accomplices, I defy any Person living, in one Instance, to charge me with an Ill natur'd or unmannerly Action, or with the least Attempt to deprive any Man of one Tittle of his Property : I have, indeed, been betray'd and surpriz'd into a Labyrinth of Difficulties, by a set of uncommon Villians, of which the Vultures of Mankind have taken Advantage, and I am become their Prey, by which others may suffer, far against my Inclination, it not being in my Power to defend or do my self or them Justice against a Torrent of my Enemies ; and I must ever declare, that your Lordship hath greatly contributed to my unhappy Situation, by harrassing and loading me with unnecessary Costs, when you saw me grappling in the Ebb of Fortune ; but you  
can

can look with unconcern on the Desolation of a Family, and without Pity or Mercy spurn them to the Earth; you have compleated my Misery in this World, by taking from me my Estate, in this manner: To see a Man maimed and wounded to Death is shocking to Nature; but the Torture I have, from Day to Day, for some Years suffer'd, has been far greater.

My Father in *November* last, lying at the Point of Death, a Messenger was sent to acquaint you with it, and that he had nothing left to bury him, desiring you wou'd give Orders for his Funeral if he dy'd: You answer'd, that you wou'd do nothing, and that the Parish might bury him! The next Day he dy'd, and the Day after another Person was sent with the like Request; but you then answer'd, that you would send your Servant that Afternoon, or the next Morning, but did not, nor took any further Notice, tho' he had assisted you on all Occasions against me, and you had made him your Instrument to sanctify your Purpose, and destroy me and my Family; and by his Death, an Annuity of 40*l.* a year fell to you. This, my Lord, was a little hard and ungrateful, for you cou'd not, in his Life time, make him any Amends equivalent to such an Action; for Excuse you told the Person, that you had been put to great Expence, and suffer'd great Losses by me, when you know all your Costs were allow'd and included in the Sum mention'd in the Masters Report, and that the Estate was of such Value; but I have observed in several Instances, that your Lordship is very apt to deviate, on a Confidence, perhaps, that a Man of your Fortune and high Degree in the Church, must be deem'd Intallible, and gain Credit for what ever he's pleas'd to say or do, especially when in Competition with a Man in Adversity; and it's a Paradox with some, that a Man of reduced Fortune shou'd speak Truth,

or

or be Honeſt, or even retain human Faculties; tho' I ſhall not altogether reſt on that Foot, and hope to bring you to demonſtration before I bid you a final *Adieu*.

Did you conſider the Viciffitude of human State, that you came into the World as a Glaſs that is blown, and that your Being is as Frail, you would not be ſo elate, and commit cruel Depredations on your Fellow Creature; under Sanction of the Law, the greateſt Injuries have been done to Mankind. But to expoſtulate on that Phraſe, *Summum jus eſt ſumma injuria*, or, talk of Equity and good Conſcience, would be preaching to the hungry Savage to leave his Prey; the *Summum Bonum* are the Lands and Tenements; no matter how gotten. How tranquil ſome Men can bear the moſt infamous Reflections! and it is only making uſe of Eviſions and Fallacies, and ſaying *White* is *Black*, and they expect to be acquitted by the World as eaſie as by their own Conſciences: After all they can quiet their Minds, and think themſelves ſafe by invoking their darling Goddeſs.

*Da mihi fallere; da juſtum ſanctumque videri;  
Noctem peccatis & Fraudibus objice nubem.*

But the Veil is too thin, and their Offences too glaring to be obſcured; 'tis evident, that courteous complaiſant Behaviour they ſo much affect, is only a Cover to their Pride and Avarice; they have no Humanity, no Charity, that Eſſence of Chriſtianity, and Religion of all Nations; they are Oppreſſors of the oppreſſed, meer *Ravens*, that ſit on the expiring Animal, and eat his Fleſh before his Eyes.

O W——cx! Had you believed in God, or one Tittle of that Religion you profeſs, you would not have dar'd to execute a Scene like this; and can  
C you

you now flatter yourself, that you shall escape with Impunity? No! If there is a God, his Vengeance will follow you and yours, for the Injuries done to me and mine. You act as if you was above the Reach of Humane or Divine Power; you seem giddy in your high Situation, and with standing on the lofty Top of your fine Stair-Case in *De——n's* Yard, where you admire yourself, and look down with Contempt on other Mortals; but before you are aware, your Head may turn, and you may fall to the Bottom; the omnipotent Finger on a sudden may be laid upon you, and you may meet your deserved Fate. I saw the Catastrophe of your Predecessor, who was reputed both a Scholar and Divine; though I do not apprehend your Lordship in Danger of falling the same Way; for you are a Gentleman so Provident, and of such fine easy ductile Principles, that you will rather play the Vicar, and forego your King, than hazard the Mitre, or any Part of that Treasure you have, with so much Industry, acquired. I know you hate *Passive Obedience* and *Non Resistance*; Tenets so destructive to Property, that *Sacheverell* was a wicked Fellow to preach such Doctrine. As you are now drawing near the last Period of this Life, and almost in Sight of the Grave, it might be hoped, that you'd soon have some Remorse, and reflect on what you have done; read the 25th Chapter of *Leviticus*, and other Doctrine you have formerly preached; perhaps, then, the Image of the injured may appear to you, and you might be moved to make some Restitution. But, I fear, you are too obdurate; that you may have more Mortgages, and not think it Time to repent. So I shall at Present, leave you to your *Mammon*, and conclude, &c.

Chancery-Lane, 1 June, 1740.

Since



Since the above-written I am informed, that your Lordship has sold the *B——ch——n* Estate to Dr. *A——y* Son of *F——A——y*, and that above five hundred Oaks, and several Acres of Wood have been cut down; by which its plain, this whole Transaction has been a Piece of Craft between you and Dr. *B——k*, in favour of, and pursuance of some League with the late Lord *A——*, which still aggravates the Oppression, and shews, you have the Conscience to wanton and sport in the Ruin of another Man, and can take from one, and give to another.

I indeed, at first imagined it a general Set upon me; and by all your Steps, that the Estate was your Aim; you immediately inroll'd your Decree, for fear of a Redemption, and to obstruct and make it more difficult. Presently after this Purchase was made, in the Name of *A——y*, the Son, then in a dying Condition, with intent that his Son, then an Infant, might be made a Party to any Bill that should be brought to redeem by Reason, as may be apprehended, that no Decree could be made Absolute against such Infant, till six Months after he came of Age. 2. If this will hold, was I able to dispute it? I am advis'd it will not.

I am likewise informed you Sold the *S——n* Estate for many years Purchase less than the Value, or Market-price; and that *A——y*, the Father, passed the Title, which is now become good, tho' before bad: What could you do all this for, unless with a politick View to make a Friend in a Corner in case of a Change; for you know the Principle of old *A——y*, and that he has almost as much Interest among great Men as *Peter Walters* of *Westminster*.

Would any Man, but the most harden'd overgrown Villain, have made, or advised such a surreptitious Purchase, under so young a Decree,

know

knowing it obtained by Oppression, and taking Advantage of a Man's Misfortunes, and that the Estate was worth so much more than the Mortgage-Money; especially when, by such Means, he had before gained so considerable an Advantage out of my Family; but I am well assured, that Man has not one Inch of Land, in the three Kingdoms, fairly gotten. Lord *A*—— would not have had it in his Power to have given him so much of the Family Estate, in Prejudice of the next Heir, had not this old *Legerdemain*, *C*——r, formerly, in making the Entail of the Family, wilfully omitted the very Parcels he has now got by that Lord's Will, who was that Man that betrayed the Innocent, and sent the New found Lord *A*—— into Slavery. No wonder that Murder, and other crying Sins, should flow from such a Sire! I wish a noble Lord, for whom I have the highest Honour and Esteem, escapes his Clutches, without very great Damage to himself, and Posterity; for I am informed, he has, already, crept into some of his Lands and Tenements.

Sure, such Acquisitions can never Prosper! his Son, the Doctor, is since Dead; and, I am inform'd by a certain Surgeon, that he lost his *Stamen* before his second Marriage; and that none of his Children can live long. Perhaps your Lordship may lose the Hopes of your Family, that tender Youth, your Son; and then you have been heaping up Riches, and cannot tell who shall Gather, for that odd By-Stroke of Nature. Your Niece, the Doctor's little Reptile, is scarce capable of Generation; or, if she brings forth, it must be somewhat like itself, more fit to inhabit a Box, and be shewn in *Bartholomew Fair*, than Grace the Tabernacle of an High-Priest: So your Posterity is in a fair Way to dwindle into Atoms, or broken Bottles; and, in One Generation, you'll be no more  
heard

heard of; no Works publish'd; no Acts of Charity done, to deserve one Day's Remembrance!

Your Lordship is now throwing Dust; and give out, that you have lost 4 or 500 *l.* by the Mortgage. You might as well have said, your whole Money: Or, if so, How came you then to sell the Estate so suddenly, without giving yourself Time to make the best of it? You might have sold the Wood first, and then the Estate. 'Twould be an idle Attempt in me, to amuse my Friends and Country with a romantick Relation, and magnify my Estate beyond its Value. I don't pretend to say, what secret Compact you may be under with old *A*———y; but I absolutely insist, that the Estate is of such Value, as before-mentioned; which I shall take an Opportunity to demonstrate; tho', I hope, this Scene has not altogether escap'd the Observation of my Neighbours, and Countrymen; what I may advance, in Favour of myself, under my unhappy Circumstances, perhaps, may meet with little Regard; but as your whole Money, Principal, Interest, and Cost, this Day twelve Months, amounted to no more than 2765 *l.* 15 *s.* 9 *d.* if any impartial Man, out of Curiosity, wou'd only take a View of the *B*———*ch*———*n* Estate, he might be a Judge, as well as myself. In short, Power is your Law, and my Misfortunes have been your Protection; and you saw me reduced, and destitute, or you'd scarce have ventured to treat me in this Manner. Still I am not without Hopes of Redress: However, I shall not meanly submit to an Injury so flagrant, and suffer your Lordship to go off with the Reputation of only scourging a Sinner, when you are the Offender, and deserve the Punishment.

When an ill Design, or Action, is perpetrated, the Guilty, officious to conceal, use all their Art to asperse, and blacken the Character of the injured

jur'd Man, and render him Contemptible, that no Regard may be had to his Complaints: So your Lordship is not Content with what you have done, but seem Angry that I have any Being on Earth; and, in all Shapes, endeavour to stigmatize my very Name, that I may meet with no Countenance among Mankind. Had I one Thousand Pounds I should soon change the Scene upon you, and make the Blackness of your Soul appear. You, it seems, have been pleas'd to descend so low, to take Notice of a Foible. I own, of late Years, thro' Necessity I have sometimes been guilty of--: But your Neighbours say, it's your Favourite, as well as mine; and that you have liberally bestowed your Blessings on your Maid-Servants. But your Lordship has many Ways to cover a Multitude; you can give your Coachman, or Footman, a Place in the A—y which you'd have thought too good for an inferior Brother, of much more Merit than your Lordship. However, since you have taken so much Pains to represent me, I can do no less than return the Compliment; and shall, one Day, take occasion to describe the Beauties of you, and your Family, from the Glass-House in *Gloucester*, to the Cathedral of *R—r*.

Old *A—y* is acting his Part at *B—n*, and covering the Iniquity from the Country; his Tribe of Pensioners, the Relicts of their late Lord, seated in the Tenements of my Ancestors, adorn'd with my Spoil, assume the Air of Saints, sing the Praise of that righteous Lord, and censure and dictate the Fortune of me and my Family. *Dorabella*, the first, and once a very good Handmaid, for many Years kept the Body of her Lord clean, and with as much Decency, and as little Trouble as any Girl, convey'd his Evacuations in the proper Chanel, for which she might deserve 60 *l.* a Year, and an House; though old *A—y* says, no



more than 10 *l.* for she made a large Purse in the Life-time of her Lord. But for this excrement of Vanity to fancy herself Lady Dowager, and set herself at the upper End of a Table, because she has tasted Quality, is intolerable Impudence. These elymosinary Creatures take upon them to regulate Families, and abuse their Betters, raise and spread false Reports of me in the Country; and, at their Discretion, my Children are to be turned out of the Parish, to prevent Talk, or any Reflections on this old Land-Pirate, or the dear Memory of their departed Lord, that may arise from any Object of my Misfortunes.

Though some Men extol and canonize this Lord above, yet he was well known to be a Man of most singular Pride and Malice, of an arrogant overbearing Temper, would commit any Depredation on his Neighbour, could he screen himself by Power, or under Sanction of the Law; would sacrifice any Man, or even his Country, if opposed in his Humour, or ambitious Views; and was Remarkable, that he never forgave any Person who had given him the least inadvertent Offence.

It's not a mere Title that adorns the Man, or will intimidate and command Respect from others, if his Actions are not consonant with his Degree or Function, he is the more to be held in Contempt: That Fellow who betray'd his Master was an Apostle, and therefore the greater Villain; and he that professes Christianity, and acts contrary to the Doctrine of his Saviour is an Hypocrite, and no Christian.

The higher a Man's Station, the greater and more conspicuous his Crime; when he demeans himself by committing oppressive, and injurious Acts, and shews the innate Baseness of his Soul, which no Circumstance of Life can alter.

It

It is not common, to find a generous Soul in a base-born Wretch ; his Ideas of Grandeur and Honour arise from mean and false Conceptions ; he thinks he cannot distinguish himself, or be taken Notice of, without exercising some remarkable Act of Oppression ; especially when he has got an unfortunate Man at a Disadvantage, who cannot Resist ; like the Cur, he Snarles and Domineers, unmercifully Bites and Insults his Adversary : But if it happen that the weaker Animal has Courage to turn and bite again, he drops his Tail and flinks off ; and thus will a V——n appear, in the End, who can have no true Courage.

Fauning Sycophants, on pretence of superior Loyalty, delude and involve their Prince, and by and by lead him, as well as their Country, into inevitable Perdition. Could the most vile Miscreant, except of one Growth, have ungratefully attempted to burn the Effigies of that brave and glorious Commander, who hath so lately distinguished himself, in the Service of his King and Country.

I just now found out, that your Lordship actually Sold the Estate for 4050*l.* besides the Wood, valued at 1000*l.* and that you have given Security to the Purchasers, to indemnify them against me, or any Person claiming under me. This is 1284*l.* 4*s.* 3*d.* more than the whole Principal Interest and Cost, due to you ; and how much more would the Estate have sold for, had it been fairly made the best of ? And now I find your Lordship can, with a safe Conscience, pocket this 1284*l.* 4*s.* 3*d.* tho' you have given from me above double that Sum ; and tho' I wrote to you lately, desiring, That, as you had Sold the Estate for much more than your Money, that you would Consider my unhappy Case, and give me some Money, to extricate me  
out

out of my other Misfortunes; yet your Lordship has not condescended to favour me with an Answer.

Would every Judge, like that great Example, and Heroe of the Law, *W———*s, exert himself, discountenance, and punish the Male Practiser, with Tenderneſs, and Deliberation, hear the Merits of both Sides, even on a Motion, and enquire into the Grievance of the Poor, as well as Rich, then wou'd the Law flourish, and be restored to its primitive Beauty; it would not be made a Handle for Oppression, and every Man would have equal Justice.

It has been reported, to my Prejudice, that by Extravagance, I have spent both this Estate, and a large Fortune, consequently am not worthy of any Notice, or Pity: But when a Man becomes Unfortunate either out of a concealed Prejudice or some other, Design what will not be said by some sort of People? Tis well known, I never had any Fortune, in my Power, either in my own or Wife's Right; and this Estate, by Articles between my Grand fathers, on the Marriage of my Father and Mother, was charged with the Payment of 700*l.* the Interest of which my Father suffered to run very much in Arrear, and committed great Waste on, and advertis'd to be sold the Premises; on which, by Advice, I brought my Bill in Chancery against him, for a specific Performance of those Articles; and after travelling near ten Years in that Court, I obtained a Decree for that Purpose: My Father thereupon, by Deed, released the Premises to me and my Heirs, subject to several Charges and Payments therein: I paid off the Arrears of Interest on the said 700*l.* and afterwards mortgaged the Premises for 1000*l.* more, not to support any Extravagance of my own, but to feed a Serpent, that has now stung me to Death. This I shall more particularly make a Part of my Vindication, against the Aspersions of my Enemies, on another Occasion.



11-11-11



